

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5434 of 1983

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?

SMT. A J CHHAYA

Versus

K S SHASTRY, GUJ. UNIVERSITY & OTHERS

Appearance:

MR GIRISH PATEL for the Petitioner
MR SM MAZGAONKAR for Respondent no.1.
None present for other respondents.

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 27/08/96

ORAL JUDGEMENT

1. The petitioner, an employee of the Gujarat University, filed this Special Civil Application against the action of the respondent denying her the promotion to the post of Assistant Accountant. It is not in dispute that the petitioner was holding the post of Jr. clerk (Accounts). The promotion to the post of Assistant

Accountant is provided from the post of Assistant Cashier and not from the post of Jr. Clerk (Accounts). The post of Assistant Cashier is a post of higher payscale than Jr. Clerk (Accounts) which fact is also not in dispute. In view of this fact, the claim of the petitioner for promotion to the post of Assistant Accountant is not tenable. The petitioner does not dispute that the respondent no.4 who has been given the promotion to the post of Assistant Accountant was holding the post of Assistant Cashier.

2. Taking into consideration all these facts, I do not find any illegality in the order of the respondents under which the respondent no.4 was given promotion to the post of Assistant Accountant.

3. In the result, this Special Civil Application fails and the same is dismissed. Rule discharged. Interim relief, if any, granted by this Court stands vacated.

zgs/-